



## **MINUTES OF THE NASHUA CONSERVATION COMMISSION**

**Tuesday, March 7, 2017**

### **A. Call to order**

A regular meeting of the Nashua Conservation Commission was called to order on Tuesday, March 7, 2017 at 7:00 PM, in Room 208, City Hall, and Second Floor - 229 Main Street.

### **B. Roll call**

Chairman Michael Gallagher, presided;

Members of the Commission Present:

Sherry Dutzy  
Donald Cederquist  
Brandon Pierotti  
Richard Gillespie  
Bill Parker  
Dan Sloan, alt.

Members of the Commission Absent:

Also in Attendance:

Scott McPhie, Planning Department  
Ald. David Schoneman

### **C. Approval of Minutes**

- January 3, 2017 – meeting minutes

**MOTION BY COMMISSIONER DUTZY, SECONDED BY COMMISSIONER PIEROTTI, TO APPROVE THE MEETING MINUTES OF JANUARY 3, 2017.  
MOTION CARRIED**

### **D. New Business**

- Election of Officers

**MOTION BY COMMISSIONER SLOAN, SECONDED BY COMMISSIONER GILLESPIE, TO NOMINATE COMMISSIONER DUTZY AS CHAIRMAN  
MOTION CARRIED**

**MOTION BY COMMISSIONER DUTZY, SECONDED BY COMMISSIONER PIEROTTI, TO NOMINATE COMMISSIONER CEDERQUIST AS VICE CHAIRMAN  
MOTION CARRIED**

**MOTION BY COMMISSIONER DUTZY, SECONDED BY COMMISSIONER SLOAN, TO NOMINATE COMMISSIONER GILLESPIE AS CLERK  
MOTION CARRIED**

**MOTION BY COMMISSIONER DUTZY, SECONDED BY COMMISSIONER SLOAN, TO  
NOMINATE COMMISSIONER PIEROTTI AS TREASURER  
MOTION CARRIED**

- Discussion of the formal letter to high school principals to attract potential student conservation members

Commissioner Dutzy provided copies of the new draft letter.

Chairman Gallagher said they identified that the Board of Aldermen did not need to consent to the change in the bylaws.

Commissioner Dutzy said she would edit the introduction of the letter.

Ald. Schoneman said the letter should include that the student is a non-voting member.

Chairman Gallagher said the student member will serve in a non-voting capacity for a one-year period. He asked if the letter should indicate that student interest should be directed to the Mayor, and not directly to the Conservation Commission.

Ald. Schoneman asked if the letter is going to be sent to teachers or principals.

The Commissioners decided it would be best to send the letters to school principals.

Chairman Gallagher asked if there will be one or two student members. His recollection was that there would be two students.

Commissioner Dutzy said Article V, Section 1 of the bylaws indicates that there would be “up to” two student members. She said she will make all of the suggested changes.

Commissioner Pierotti suggested placing the letter on the NCC letterhead.

The Commissioners decided that the letters will be sent prior to the next meeting, once the edits are made.

**MOTION BY COMMISSIONER GILLESPIE, SECONDED BY COMMISSIONER SLOAN, TO  
ACCEPT THE FINAL LETTER AS AMENDED RE: STUDENT REPRESENTATIVE REQUEST.  
MOTION CARRIED**

- Lovewell Pond stewardship plan

Commissioner Dutzy said she thought she was supposed to be given some information regarding Lovewell pond.

Mr. McPhie said he would look into this.

- Southwest Park management discussion and related topics

Commissioner Sloan said he had a meeting with Mayor Donchess and Nick Caggiano of Parks and Recreation, regarding Yudicky Park. In 2001, there was a plan to create a sports center at Yudicky. Last year, the Planning Board denied an application to install two soccer fields at

Yudicky due to concerns with traffic and adjacent wetlands. He has since been trying to find alternate areas to house the soccer fields. Mr. Caggiano still wants to install soccer fields at Southwest Park. The Mayor said if the Conservation Commission is interested in purchasing the property, this would solve any issues. He said he would draft a letter to the Commissioners, though this has not been received yet.

Mr. McPhie asked if the Mayor meant purchase the property, or just take management authority.

Commissioner Sloan said purchase.

Commissioner Dutzy said the land is owned by the City.

Mr. McPhie said he does not think the Conservation Commission can purchase land owned by the City but they could place a Conservation easement on the property if the City consented to that.

Commissioner Sloan shared a report that was created in 2006 titled "City of Nashua Natural Resources Inventory and Conservation". The report says that the Conservation Commission asked for Southwest Park to be removed from the GRANIT Database, but it doesn't say why.

Chairman Gallagher said there is no conservation easement on this land. Moving forward, if you represent yourselves in regards to this project, you're doing so as citizens of Nashua. He would caution them not to represent themselves as members of the Conservation Commission.

Commissioner Sloan asked if they could recommend or change the land to conservation land.

Chairman Gallagher said he believes that may have been the Mayor's comment. He does not know if there is a legal process that would allow the City to sell City-owned land to a Commission of the City. Whether or not the City wants to move forward through the Board of Aldermen to apply an easement on the land; there may be a cost associated with this and the Commission could take a vote to expend funds in working with the Forest Society.

Commissioner Dutzy asked if another option would be for the City to sell the land to a group of property owners, who would then want to apply an easement so that there couldn't be any development on the land. If all of the abutters came forward, that may be an option.

Ald. Schoneman asked what group originally wanted to install the soccer fields.

Commissioner Sloan said the Parks and Recreation Department, and the Mayor. He said he has found several other locations for soccer fields; across the street in back of the Gilson Road cemetery is. The location would be between the cemetery and the Main Dunstable school; there is also flat land behind the airport that is not being used.

Ald. Schoneman said if so many abutters attended the Planning Board in opposition, he doesn't like the idea of going against them. However, he also doesn't think they should have to buy that protection.

Commissioner Dutzy said she thought that when they applied the easement to the Gleason property, there was a portion cut out that was going to be used for soccer fields. So, that's the land they've decided they don't want to use because of the terrain?

Commissioner Sloan said that is correct.

Chairman Gallagher said the Gleason Family still owns it; there is no easement on it. The City would need to purchase the land first, with the agreement that they won't put a conservation easement on the land and that they will trade the land for the site improvements to the parking lot. However, if there are no soccer fields there, the City will not do this.

Commissioner Sloan said they already have the right-of-way through the parking lot built.

Chairman Gallagher said there was a Fire issue; there needed to be two ways in and out of the property so the City did make the connectivity there. However, it is his understanding that the Gleason's still own the land that was going to be traded for improvements to the site.

Commissioner Cederquist asked if they could get a map of the Southwest property to see which areas are conservation land and which are park land.

Commissioner Sloan said the Terrell piece is conservation; the rest is park.

Chairman Gallagher said the residents of Ward 5 could reach out to Alderman McCarthy and Alderman LeBrun, as they are both residents of that ward.

Ald. Schoneman asked how much money is in the conservation fund.

Commissioner Dutzy said about 1.7 million.

Commissioner Sloan said the Mayor said the City paid 2 million for the property.

- Comments from Christine Pivrotto, property owner, 60 Ridge Rd, Nashua, NH

Ms. Pivrotto said she is getting a lot of foot traffic behind her home even though there are no trails back there. There is no marking of the trail.

Commissioner Sloan said he has mentioned this before. There is a map at the parking area, but that's it. There are no markings down the trail.

Chairman Gallagher said Ms. Pivrotto's property is well off the path tied into Southwest trail traffic.

Ms. Pivrotto said she placed signs on her property but people are still coming onto her property. She said if the Commission could look into adding additional signage to mark the trail, it may be helpful.

Chairman Gallagher said Ms. Pivrotto's property is so far removed from where the trails are listed that he questions whether the traffic is being caused by people on the trails. Trail signage could absolutely be improved but from a budgetary standpoint, in order to get the trail system finished, some of the signs had to be removed. He said Ms. Pivrotto has the ability to call the police, or post a trail camera to capture photographs of the people trespassing on her property. Unfortunately, the Commission does not have enforcement capabilities over the people that purposefully access her property. She may contact Mr. McPhie who could forward her concerns to the City's Code Enforcement Department if it fell into their jurisdiction. If it was a Civil issue then New Hampshire Fish and Game or an enforcement agent from NHDES could be alerted if wetlands were being negatively impacted.

Commissioner Dutzy suggested taking a site walk in the area.

A site walk was scheduled for Tuesday, March 21<sup>st</sup> at 5:45pm.

#### **E. Old Business**

- Sculpture Symposium follow-up discussion

Mr. McPhie said the Symposium is potentially looking at the Lovewell area, but they have not received any new information at this time.

#### **F. Other Business and Updates**

In nominating Dan Sloan, although an alternate, acted as a full member tonight as the Commission still has a vacant full seat on the Commission.

#### **G. NCC Correspondence and Communications**

- Letter of intent to USDANRCS

Commissioner Dutzy asked if they were in contact with Annie Kuster.

Chairman Gallagher said they can reach out to Sarah Marchant or Roger Houston in the absence of Madeleine Mineau.

- Letter from NHDES re: shore land permit, 40 Birch Ridge Trail

Chairman Gallagher said the letter indicates that the permit has been rejected.

- Survey
- UNH Extension, Saving Special Places 2017

Chairman Gallagher said there are three different sessions if anyone is interested.

**MOTION BY COMMISSIONER GILLESPIE, SECONDED BY COMMISSIONER CEDERQUIST, TO ACCEPT AND PLACE ON FILE THE CORRESPONDENCE RECEIVED  
MOTION CARRIED**

#### **H. Items**

- No Hunting signage

Commissioner Dutzy provided a box of existing signs which will be left in the Planning office and available to Commissioners for posting.

Commissioner Sloan asked if anyone has asked Nick Caggiano about posting the signs at the Kiosk and other entrance to the Southwest Park area.

#### **I. Project Updates by Commissioners**

Updates were provided during the Southwest Park and Sculpture symposium discussion.

**J. Nonpublic Session**

There was no non- public session tonight.

**K. Adjournment**

**MOTION TO ADJOURN BY COMMISSIONER DUTZY, SECOND BY COMMISSIONER SLOAN.**

**MOTION CARRIED**

APPROVED:

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Richard Gillespie, Clerk, Nashua Conservation Commission

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Prepared by: Mindy Lloyd

Taped Meeting